

CASE NO. 22-2854

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

STATE OF ARIZONA; STATE OF WEST VIRGINIA; STATE OF ALASKA; STATE OF ARKANSAS; STATE OF IDAHO; STATE OF INDIANA; STATE OF KANSAS; COMMONWEALTH OF KENTUCKY; STATE OF LOUISIANA; STATE MISSOURI; STATE OF MONTANA; STATE OF NEBRASKA; STATE OF OKLAHOMA; STATE OF SOUTH CAROLINA; STATE OF TEXAS; STATE OF UTAH; and STATE OF WYOMING,

Plaintiffs-Appellants,

v.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES; UNITED STATES DEPARTMENT OF JUSTICE; and STEVEN M. DETTELBACH as the DIRECTOR OF ATF,

Defendants-Appellees.

On Appeal from the United States District Court
for the District of North Dakota
The Honorable District Court Judge Peter D. Welte
Case No. 3:22-cv-116

**PLAINTIFF-APPELLANT STATE OF ARIZONA'S STIPULATION
OF VOLUNTARY DISMISSAL**

Pursuant to Federal Rule of Appellate Procedure 42(b)(1), the State of Arizona hereby submits its Stipulation of Voluntary Dismissal of the State of Arizona's appeal in this action. Undersigned Appellees and Co-Appellants stipulate that they offer no objection to the State of Arizona's dismissal of its appeal. This Stipulation is not intended to affect the interests or status of any party to this litigation except with respect to the State of Arizona. The State of Arizona and Appellees further stipulate that each party shall bear its own costs and fees.

Respectfully submitted,

Date: March 14, 2023

**BERGIN, FRAKES, SMALLEY &
OBERHOLTZER, PLLC**

/s/ Anthony R. Napolitano

Anthony R. Napolitano

4343 E. Camelback Road, Suite 210

Phoenix, AZ 85018

602-848-5449

anapolitano@bfsolaw.com

Counsel for Appellant State of Arizona

/s/ Stephen D. Stamboulieh

STEPHEN D. STAMBOULIEH (MS # 102784)

Stamboulieh Law, PLLC

P.O. Box 428

Olive Branch, MS 38654

(601) 852-3440

stephen@sdslaw.us

ROBERT J. OLSON (VA # 82488)
WILLIAM J. OLSON, PC
370 Maple Ave. West, Suite 4
Vienna, VA 22180-5615
703-356-5070 (T)
703-356-5085 (F)
wjo@mindspring.com

*Counsel for Morehouse Enterprises, LLC d/b/a Bridge City Ordnance,
Eliezer Jimenez, Gun Owners of America, Inc., and Gun Owners
Foundation*

/s/ Kathleen L. Smithgall
KATHLEEN L. SMITHGALL
Deputy Solicitor General
CHRISTIAN CORRIGAN
Solicitor General
MONTANA DEPARTMENT OF JUSTICE
P.O. Box 201401
Helena, MT 59620-1401
Phone: (406) 444-2026
christian.corrigan@mt.gov
kathleen.smithgall@mt.gov
Counsel for Appellant State of Montana

PATRICK MORRISEY
Wester Virginia Attorney General

/s/ Michael R. Williams
LINDSAY SEE
Solicitor General
MICHAEL R. WILLIAMS
Senior Deputy Solicitor General
OFFICE OF THE WEST VIRGINIA ATTORNEY GENERAL
State Capitol, Bldg 1, Room E-26
Charleston, WV 25305

(681) 313-4550
Lindsay.S.See@wvago.gov
Michael.R.Williams@wvago.gov
Counsel for Appellant State of West Virginia

TREG R. TAYLOR
Alaska Attorney General

/s/ Aaron C. Peterson
AARON C. PETERSON
Senior Assistant Attorney General
Alaska Department of Law
1031 W. 4th Avenue #200
Anchorage, AK 99501
Aaron.peterson@alaska.gov
(907) 269-5165
Counsel for Appellant State of Alaska

TIM GRIFFIN
Arkansas Attorney General

/s/ Nicholas J. Bronni
NICHOLAS J. BRONNI
Arkansas Solicitor General
DYLAN L. JACOBS
Deputy Solicitor General
OFFICE OF THE ARKANSAS ATTORNEY GENERAL
323 Center Street, Suite 200
Little Rock, Arkansas 72201
(501) 682-2007
Nicholas.bronni@arkansasag.gov
dylan.jacobs@arkansasag.gov
Counsel for Appellant State of Arkansas

RAÚL LABRADOR
Idaho Attorney General

/s/ Alan W. Foutz

ALAN W. FOUTZ

Deputy Attorney General

OFFICE OF THE IDAHO ATTORNEY GENERAL

P.O. Box 83720

Boise, ID 83720-0010

(208) 334-2400

alan.foutz@ag.idaho.gov

Counsel for Appellant State of Idaho

THEODORE E. ROKITA

Indiana Attorney General

/s/ Betsy M. Denardi

BETSY M. DENARDI

Director of Complex Litigation

Indiana Government Center South

302 W. Washington St., 5th Floor

Indianapolis, IN 46204

(317) 232-6201

Betsy.DeNardi@atg.in.gov

Counsel for Appellant State of Indiana

KRIS KOBACH

Kansas Attorney General

/s/ Dwight R. Carswell

DWIGHT R. CARSWELL

Deputy Solicitor General

OFFICE OF KANSAS ATTORNEY GENERAL

120 SW 10th Avenue, 3rd Floor

Topeka, KS 66612-1597

(785) 368-8435 Phone

dwight.carswell@ag.ks.gov

DANIEL CAMERON

Kentucky Attorney General

/s/ Matthew F. Kuhn

MATTHEW F. KUHN

Solicitor General

AARON J. SILLETTO

Assistant Attorney General

OFFICE OF THE ATTORNEY GENERAL OF KENTUCKY

700 Capital Avenue, Suite 118

Frankfort, Kentucky 40601

Phone: (502) 696-5300

Aaron.Silletto@ky.gov

Matthew.Kuhn@ky.gov

Counsel for Plaintiff Commonwealth of Kentucky

JEFF LANDRY

Louisiana Attorney General

/s/ *Elizabeth B. Murrill*

ELIZABETH B. MURRILL

Solicitor General

LOUISIANA DEPARTMENT OF JUSTICE

1885 N. Third Street

Baton Rouge, Louisiana 70804

(225) 326-6766

murrille@ag.louisiana.gov

Counsel for Appellant State of Louisiana

ANDREW BAILEY

Missouri Attorney General

/s/ *Maria Lanahan*

MARIA LANAHAN

Deputy Solicitor General

OFFICE OF THE ATTORNEY GENERAL OF MISSOURI

Supreme Court Building

207 W. High Street

P.O. Box 899

Jefferson City, MO 65102

(573) 751-8870

Maria.Lanahan@ago.mo.gov

Counsel for Appellant State of Missouri

MICHAEL T. HILGERS
Nebraska Attorney General

/s/ Eric J. Hamilton

Eric J. Hamilton

Solicitor General

OFFICE OF THE NEBRASKA ATTORNEY GENERAL

2115 State Capitol

Lincoln, NE 68509

(402) 471-2682

eric.hamilton@nebraska.gov

Counsel for Appellant State of Nebraska

GENTNER F. DRUMMOND
Oklahoma Attorney General

/s/ Zach West

ZACH WEST

Director of Special Litigation

OKLAHOMA ATTORNEY GENERAL'S OFFICE

313 NE 21st St.

Oklahoma City, OK 73105

(405) 522-1961

zach.west@oag.ok.gov

Counsel for Appellant State of Oklahoma

ALAN WILSON
South Carolina Attorney General

/s/ J. Emory Smith

J. EMORY SMITH, JR.

Deputy Solicitor General

OFFICE OF THE ATTORNEY GENERAL OF SOUTH CAROLINA

P.O. Box 11549

Columbia, SC 29211

(803) 734-3680

ESmith@scag.gov
Attorneys for Appellant State of South Carolina

KEN PAXTON
Texas Attorney General

/s/ Aaron F. Reitz
AARON F. REITZ
Deputy Attorney General for Legal Strategy
CHARLIE ELDRED
Special Counsel for Legal Strategy
OFFICE OF THE ATTORNEY GENERAL OF TEXAS
P.O. Box 12548
Austin, Texas 78711-2548
(512) 936-1700
Aaron.Reitz@oag.texas.gov
Charlie.Eldred@oag.texas.gov
Counsel for Appellant State of Texas

SEAN D. REYES
Utah Attorney General

/s/ Melissa Holyoak
MELISSA A. HOLYOAK
Solicitor General
OFFICE OF THE UTAH ATTORNEY GENERAL
350 N. State Street, Suite 230
Salt Lake City, UT 84114
(801) 366-0260
melissaholyoak@agutah.gov
Counsel for Appellant State of Utah

BRIDGET HILL
Wyoming Attorney General

/s/ Ryan Schelhaas
RYAN SCHELHAAS
Chief Deputy Attorney General

OFFICE OF THE WYOMING ATTORNEY GENERAL

109 State Capitol

Cheyenne, WY 82002

Tel: (307) 777-5786

ryan.schelhaas@wyo.gov

Counsel for Appellant State of Wyoming

ABBY C. WRIGHT

/s/ Sean R. Janda

SEAN R. JANDA

Attorneys, Appellate Staff

Civil Division, Room 7260

U.S. Department of Justice

950 Pennsylvania Avenue NW

Washington, DC 20530

(202) 514-3388

sean.r.janda@usdoj.gov

Counsel for Defendants-Appellees

CERTIFICATE OF SERVICE

I certify that on March 14, 2023, I electronically filed the foregoing motion with the Clerk of the Court by using the CM/ECF system, and that the CM/ECF system will accomplish service on all parties represented by counsel who are registered CM/ECF users.

/s/ Shelly Curry

Shelly Curry